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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al.,

Plaintiffs,

v.

DEPARTMENT OF EDUCATION; and Catherine
LHAMON, in her official capacity as Assistant Secretary for
the Office of Civil Rights, U.S. Department of Education,

Defendants,

COUNCIL FOR CHRISTIAN COLLEGES &
UNIVERSITIES, WESTERN BAPTIST COLLEGE
d/b/a CORBAN UNIVERSITY, WILLIAM JESSUP
UNIVERSITY AND PHOENIX SEMINARY,

Intervenor-Defendants.

Case No. 6:21-cv-00474-AA

**DECLARATION OF PAUL
CARLOS SOUTHWICK
ISO SUPPLEMENTAL
BRIEF OF NEWLY
DISCOVERED FACTS**

I, Paul Carlos Southwick, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration

and would testify truthfully to them if called upon to do so.

2. Attached as **Exhibit A** is a research brief published by The Trevor Project on September 28, 2022, entitled "Suicide Risk and Access to Care Among LGBTQ College Students."
3. Attached as **Exhibit B** is a report by the Trevor Project entitled "2022 National Survey on LGBTQ Youth Mental Health."
4. Attached as **Exhibit C** is a USA Today news article entitled "Christian Florida School Tells Parents Gay and Transgender Students Must 'Leave Immediately,'" published September 20, 2022.
5. Attached as **Exhibit D** is a Fox News.com article entitled "BYU Removes Pamphlets Advertising Off-campus LGBTQ Resources from New Student Bags," published September 4, 2022.
6. Attached as **Exhibit E** is a news article published by Insight into Diversity entitled "Samford University Rejects Formation of LGBTQ+ Law Student Group," published October 25, 2022.
7. Attached as **Exhibit F** is an amicus brief filed by Ilan H. Meyer, PhD, and other social scientists and legal scholars in *303 Creatives and Lorie Smith v. Aubrey Elinis, et al.*, filed August 30, 2022.
8. Attached as **Exhibit G** is a report by Eric Kaufmann for the Center for the Study of Partisanship and Ideology entitled, "Diverse and Divided: A Political Demography of American Elite Students, Report No. 7," published October 3, 2022.
9. Attached as **Exhibit H** are compiled documents comprising 1) a request for assurance of religious exemption submitted to the Office for Civil Rights (OCR) by La Sierra University on June 10, 2022 in response to an investigation launched by OCR on May 3, 2022 into allegations of discrimination in violation of Title IX included in OCR Case No.

09-21-2314, which was filed by plaintiffs' counsel on behalf of Cameron Martinez on July 27, 2021, 2) a letter from OCR to La Sierra University, dated July 20, 2022, granting assurance of religious exemption to the provisions of Title IX pertinent to the investigation, and 3) a letter from OCR to plaintiffs' counsel, dismissing said allegations of discrimination on the basis of lack of jurisdiction resulting from the assurance of religious exemption granted.

10. Attached as **Exhibit I** are compiled documents: 1) a letter submitted by Colorado Christian University (CCU) to OCR on May 3, 2022, in response to an investigation launched by OCR on April 8, 2022, into allegations of discrimination included in OCR Case No. 8-21-2214, which was filed by plaintiffs' counsel on behalf of Journey Mueller on August 3, 2021. In the letter, CCU asserted its religious exemption from certain provisions of Title IX and requested dismissal of the case. 2) A letter from OCR to Colorado Christian University dated July 20, 2022, confirming its prior assurance of religious exemption to certain provisions of Title IX.

11. Attached as **Exhibit J** are selected, compiled public comments in response to the U.S. Department of Education's notice of proposed rulemaking, submitted by groups and individuals in August and September of 2022 and made public by the Department between September and November 2022.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 14th day of November, 2022.

By: s/Paul Carlos Southwick
Paul Carlos Southwick